

ENTERED

September 07, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

SYSTEM ONE HOLDINGS LLC,

Plaintiff,

VS.

ERNEST CAMPBELL, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:18-CV-00054

ORDER

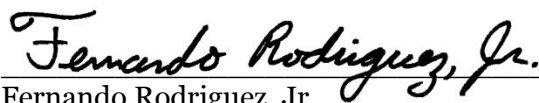
On August 21, 2018, the United States Magistrate Judge filed a Report and Recommendation (Doc. 25). Plaintiff has timely objected to the Report and Recommendation (Doc. 27).

Having considered *de novo* the Magistrate Judge's Report and Recommendation and the issues raised by Plaintiff's Objections, the Court **ADOPTS** the Report and Recommendation. The Court construes the Report and Recommendation, when addressing the enforceability of System One Holdings LLC's contract with Radiant Renewables LLC, as stating merely that Plaintiff's fraudulent-inducement allegations, if true, could disregard the contract for the unjust enrichment and *quantum meruit* causes of action. Therefore, Defendant's Motion to Dismiss (Doc. 18) is **GRANTED** in part and **DENIED** in part. Accordingly, it is:

ORDERED that Plaintiff System One Holdings LLC's claim against Energy Challenges LLC for *quantum meruit* is **DISMISSED** for failure to state a claim upon which relief can be granted; and

ORDERED that Energy Challenges LLC's Motion to Dismiss Plaintiff's claims of unjust enrichment and conspiracy to commit fraud is **DENIED**.

SIGNED this 7th day of September, 2018.



Fernando Rodriguez, Jr.
United States District Judge